

Several licensed child-placing agencies (LCPA) have asked for guidance as a result of the repeal of Virginia Code § 18.2-345. I am providing the guidance to local departments of social services by DSS, Division of Family Services. It was provided in the format of a FAQ.

This FAQ describes the process when the boyfriend or girlfriend joins the household of an already approved provider. The response refers to a “mutual family assessment”, for LCPA, this is the home study. The home study (22 VAC 40-131-180-N) and face sheet (22 VAC 40-131-370-M) would be amended to show an additional household member. Background checks and tuberculosis screenings are required for all adult household members. A check of the household members driving record may also be required.

If an LCPA previously did not allow the approval of cohabitating adults and now chooses to accept applications from cohabitating adults, the change in policy may require changes to the agency’s program statement (22 VAC 40-131-170). Please remember that program statements must be provided to the Licensing Specialist when changed or updated. If you have additional questions, please contact your Licensing Specialist.

***Question:*** *Can an individual who is cohabitating be approved as a resource parent? What should the LDSS do if a single resource parent wants their boyfriend or girlfriend wants to move in?*

***Answer:*** As of July 1, 2013, there is no prohibition in law to approving an individual who is cohabitating as a resource parent. Only married couples can be considered for approval as a couple, but one member of a cohabitating couple can be considered for approval as an individual. When considering the approval of a cohabitating individual, the procedures for consideration of another adult in the home would apply to the other party.

If the second adult is going to be a caretaker for the children, then he or she should be encouraged to participate in in-service and pre-service training and the mutual family assessment process, although neither of these would be a requirement for approval of the applicant.

In the case of an approved resource parent wanting to add a boyfriend or girlfriend to the household, LDSS must assess this additional adult entering the household as they would any adult entering the household. The mutual family assessment should be amended to reflect that another adult has entered the household. The home can remain fully approved.

No children in foster care should be placed in unapproved homes.